

MAY 02 2005

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QUINE INTELLECTUAL PROPERTY LAW GROUP, P.C.

By:

Juliana Hermes

Attorney Docket No: 26-003700US
Client Ref: NS104D1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Peter Palese, et al.

Application No.: 09/396,539

Filed: September 14, 1999

For: RECOMBINANT NEGATIVE
STRAND RNA VIRUS EXPRESSION
SYSTEMS AND VACCINES

Examiner: Terry Alan McKelvey

Art Unit: 1636

Confirmation No.: 7591

PETITION TO CHANGE INVENTORSHIP
PURSUANT TO 37 C.F.R. 1.48(b)Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The inventive entity has been determined to be incorrect in the above stated nonprovisional application. This error arose without any deceptive intent on the part of the person who is being deleted as an inventor. Due to claim amendments, such person's invention is no longer being claimed in the nonprovisional application.

Pursuant to 37 C.F.R. §1.48(b), please correct the inventorship for the above stated patent application by deleting the following named person from inventorship:

Adolfo Garcia Sastre, a citizen of the United States, residing at 16 East 96th Street, New York, NY, 10128.

As required to 37 C.F.R. §1.48(b), the undersigned is a registered attorney of record appointed in compliance of 37 C.F.R. §1.34(b).

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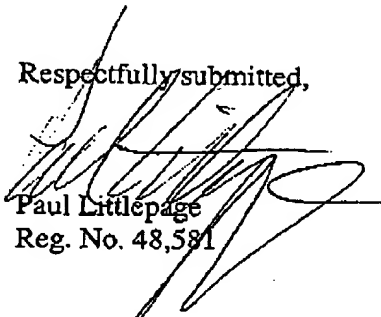
Peter Palese, et al.
Application No.: 09/396,539
Page 2

Please charge \$130.00, pursuant to 37 C.F.R. §1.17(i) for entry and consideration of this petition to deposit account number 50-0893. Please charge any other fee that is required for entry and consideration of this petition to the above noted deposit account, or credit any overpayment.

QUINE INTELLECTUAL
PROPERTY LAW GROUP, P.C.
P.O. BOX 458
Alameda, CA 94501
(510) 337-7871
Fax (510) 337-7877

PBL:aw

Respectfully submitted,



Paul Littlepage
Reg. No. 48,581

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By: 

Juliana Hermes

Attorney Docket No: 26-003700US

Client Ref: NS104D1

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In re application of:

Peter Palese, et al.

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STRAND RNA VIRUS EXPRESSION
SYSTEMS AND VACCINES**

Examiner: Terry Alan McKelvey

Art Unit: 1636

Confirmation No.: 7591

**PETITION TO CHANGE INVENTORSHIP
PURSUANT TO 37 C.F.R. 1.48(c)**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The inventive entity has been determined to be incorrect in the above stated nonprovisional application. This error arose without any deceptive intent on the part of the persons being added as inventors. Their addition is necessitated due to claim amendments.

Pursuant to 37 C.F.R. §1.48(c), please correct the inventorship for the above stated patent application by adding the following named persons as inventors:

Jeffrey D. Parvin, a citizen of the United States residing at 109 Old Sudbury Road,
Lincoln, MA 01773;

Mark Krystal, a citizen of the United States residing at 12 Salem Road, Westport, CT,
06880.

Statements from each person being added as an inventor (Mark Krystal and Jeffrey D. Parvin) are attached. Each statement confirms that the addition of the inventor is necessitated

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Peter Palese, et al.
Application No.: 09/396,539
Page 2

due to claim amendments and is without deceptive intention on the part of the added inventor.

Declarations of inventorship under 37 CFR §1.63 for each added inventor (Mark Krystal and Jeffrey D. Parvin) are attached hereto. Such Declarations list all correct inventors.

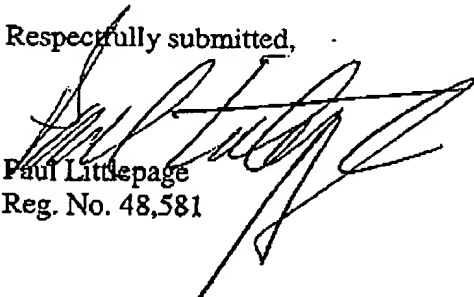
A petition under 37 C.F.R. §1.47(a) requesting waiver of the requirement under 37 C.F.R. §1.63 and 37 C.F.R. §1.48(c)(3) for a Declaration of inventorship for inventor Peter Palese is attached hereto.

Written consent of the assignees of record to change of inventorship is attached hereto.

Please charge \$130.00, pursuant to 37 C.F.R. §1.17(i) and \$130.00, pursuant to 37 C.F.R. §1.17(h), for entry and consideration of these petitions to deposit account number 50-0893. Please charge any other fee that is required for entry and consideration of this petition to the above noted deposit account, or credit any overpayment.

QUINE INTELLECTUAL
PROPERTY LAW GROUP, P.C.
P.O. BOX 458
Alameda, CA 94501
(510) 337-7871
Fax (510) 337-7877

Respectfully submitted,



Paul Littlepage
Reg. No. 48,581

PBL:aw

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By *Juliana Hermes*
Juliana Hermes

Attorney Docket No. 26-003700US

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In re application of:

Peter Palese, et al.

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For: RECOMBINANT NEGATIVE
STRAND RNA VIRUS EXPRESSION
SYSTEMS AND VACCINES

Examiner: Terry Alan McKelvey

Art Unit: 1636

Confirmation Number: 7591

STATEMENT PURSUANT TO 37 C.F.R.
1.48 (c)Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

I, Jeffrey D. Parvin, of 109 Old Sudbury Road, Lincoln, MA, 01773, affirm that my addition as an inventor to this application is necessitated by amendments to the claims. The inventorship error occurred without deceptive intention on my part and I wish to have my name added as an inventor to such application.

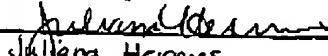
I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Jeffrey D. Parvin
Jeffrey D. Parvin

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Attorney Docket No. 26-003700US

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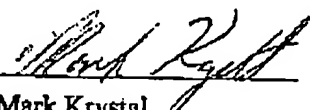
Confirmation Number: 7591

STATEMENT PURSUANT TO 37 C.F.R.
1.48 (c)Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

I, Mark Krystal, of 12 Salem Road, Westport, Connecticut, 06880, affirm that my addition as an inventor to this application is necessitated by amendments to the claims. The inventorship error occurred without deceptive intention on my part and I wish to have my name added as an inventor to such application.

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.


Mark Krystal

Attorney Docket No.: 26-003700US
Client Reference No.: NS104D1

DECLARATION

As a below named inventor, I declare that:

My residence, post office address and citizenship are as stated below next to my name; I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: **RECOMBINANT NEGATIVE STRAND RNA VIRUS EXPRESSION SYSTEMS AND VACCINES** the specification of which is attached hereto or x was filed on September 14, 1999 as Application No. 09/396,539, and was amended on (if applicable).

I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56. I claim foreign priority benefits under Title 35, United States Code, Section 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)

Country	Application No.	Date of Filing	Priority Claimed Under 35 USC 119

I hereby claim the benefit under Title 35, United States Code § 119(c) of any United States provisional application(s) listed below:

Application No.	Filing Date

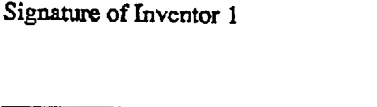
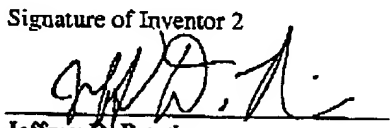
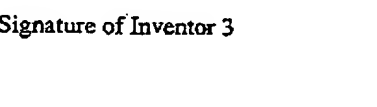
I claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Section 1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Application No.	Date of Filing	Status
09/105,377	June 29, 1998	Issued Patent 6,001,634
08/252,508	June 1, 1994	Issued Patent 5,854,037
08/190,698	February 1, 1994	Abandoned
07/925,061	August 4, 1992	Abandoned
07/527,237	May 22, 1990	Issued Patent 5,166,057

Attorney Docket No.: 26-003700US
Client Reference No.: NS104D1

Full Name of Inventor 1:	Full Name: Peter Palese		
Residence & Citizenship:	City: Leonia	State/Foreign Country: New York	Country of Citizenship: U.S.A.
Post Office Address:	Post Office Address: 414 Highwood Avenue, Leonia, New York, 07605 USA		
Full Name of Inventor 2:	Full Name: Jeffrey D. Parvin		
Residence & Citizenship:	City: Lincoln	State/Foreign Country: Massachusetts	Country of Citizenship: U.S.A.
Post Office Address:	Post Office Address: 109 Old Sudbury Road, Lincoln, Massachusetts, 01773 USA		
Full Name of Inventor 3:	Full Name: Mark Krystal		
Residence & Citizenship:	City: Westport	State/Foreign Country: Connecticut	Country of Citizenship: U.S.A.
Post Office Address:	Post Office Address: 12 Salem Road, Westport, Connecticut, 06880 USA		

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.



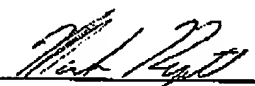
Signature of Inventor 1	Signature of Inventor 2	Signature of Inventor 3
		
Peter Palese	Jeffrey D. Parvin	Mark Krystal
Date	Date 12/09/04	Date

declaration.doc

Attorney Docket No.: 26-003700US
Client Reference No.: NS104D1

Full Name of Inventor 1:	Full Name: Peter Palese		
Residence & Citizenship:	City: Leonia	State/Foreign Country: New York	Country of Citizenship: U.S.A.
Post Office Address:	Post Office Address: 414 Highwood Avenue, Leonia, New York, 07605 USA		
Full Name of Inventor 2:	Full Name: Jeffrey D. Parvin		
Residence & Citizenship:	City: Lincoln	State/Foreign Country: Massachusetts	Country of Citizenship: U.S.A.
Post Office Address:	Post Office Address: 109 Old Sudbury Road, Lincoln, Massachusetts, 01773 USA		
Full Name of Inventor 3:	Full Name: Mark Krystal		
Residence & Citizenship:	City: Westport	State/Foreign Country: Connecticut	Country of Citizenship: U.S.A.
Post Office Address:	Post Office Address: 12 Salem Road, Westport, Connecticut, 06880 USA		

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Signature of Inventor 1	Signature of Inventor 2	Signature of Inventor 3
		
Peter Palese	Jeffrey D. Parvin	Mark Krystal
Date	Date	Date 12/7/04

declaration.doc